

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05cr281-MU

UNITED STATES OF AMERICA

vs.

ELTON RODRIGUEZ

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ORDER

This matter is before the court upon its own motion. The court notes that with reference to this defendant, the superseding bill of indictment contains a "Notice of Special Findings" with reference to Counts Two and Three. Since this case is not one in which the government is seeking the death penalty, it appears to the court that such special findings are now unnecessary. The parties are directed to advise the court within 3 days as to their views with regard to the necessity of including these special findings in the trial of this matter.

IT IS SO ORDERED.

Signed: May 22, 2006



Graham C. Mullen
United States District Judge

